

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

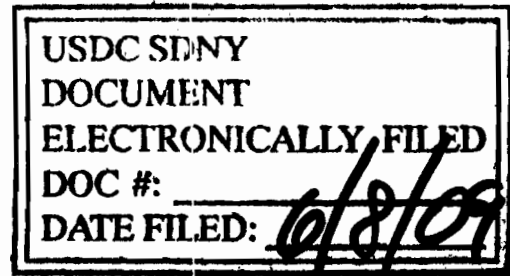
NATHAN BRODAY, JACOB SINAY,  
ABRAHAM HANDLER, et. al

Plaintiffs,

-against-

NEW YORK CITY HOUSING AUTHORITY,

Defendant.



08 Civ 10415 (GEL)

**ORDER**

GERARD E. LYNCH, District Judge:


A review of court records indicates that the complaint in this action was filed on December 2, 2008. On April 15, 2009, the Court, noticing that there was no record of the defendant being served with the summons and complaint, and plaintiffs having not provided any reason for failing to effect service, directed plaintiffs to serve the summons and complaint on the defendant on or before June 1, 2009. The Order specifically cautioned plaintiffs that if service was not made on or before June 1, 2009, and if plaintiffs failed to show cause, in writing, why service was not made, that the complaint would be dismissed, for failure to prosecute, pursuant to Rules 4 and 41 of the Federal Rules of Civil Procedure.

As of June 8, 2009, there is no record of the defendant being served with the summons and complaint, and plaintiffs have not provided any reason for failing to effect service.

ORDERED that the case be dismissed without prejudice for failure to prosecute.

SO ORDERED.

Dated: New York, New York  
June 8, 2009

  
GERARD E. LYNCH  
United States District Judge